

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

REVEREND WESLEY CARROLL, Minor)
Children of Reverend Wesley Carroll,)
Laura Carroll and Lisa Carroll,)
Plaintiffs)

vs.

COURT OF COMMON PLEAS OF)
ALLEGHENY COUNTY, (Pittsburgh))
Penna; COMMONWEALTH OF)
PENNSYLVANIA; JUDGES AND STAFF)
OF THE UNITED STATES WESTERN)
DISTRICT COURT PA,)
Defendants)

) Civil Action No. 07-1707
) Judge Donetta W. Ambrose/
) Magistrate Judge Amy Reynolds Hay

ORDER

AND NOW, this 14th day of Feb., 2008, after the Plaintiffs filed

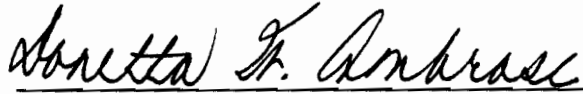
an action in the above-captioned case, and after a Report and Recommendation was filed by the United States Magistrate Judge giving the parties until January 14, 2008 to file written objections thereto, and no objections having been filed, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the petition for mandamus is dismissed pre-service to the extent that it seeks an order compelling the Allegheny County Court of Common Pleas or any other state official to perform any act;

IT IS FURTHER ORDERED that the petition is transferred to the Third Circuit Court of Appeals forthwith to the extent that it seeks an order compelling the Judges or staff of

this Court to perform any action.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the parties desire to appeal from this Order they must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.


DONETTA W. AMBROSE
Chief United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Wesley Carroll
GE-8666
SCI Waymart
P.O. Box 256
Waymart, PA 18472